Appropriation authorization.

"(m) On or before August 1 of each year, each rail carrier providing transportation subject to the jurisdiction of the Interstate Commerce Commission under chapter 105 of title 49, United States Code, shall prepare, update, and submit to the Secretary a listing of those rail lines of such carrier which, based on level of usage, carried 5 million gross ton miles of freight or less per mile during the prior year.

"(n) The Secretary, no later than July 1, 1990, shall establish a methodology for calculating the ratio of benefits to costs of projects proposed under subsection (b), taking into consideration the need for equitable treatment of different regions of the United States and different commodities transported by rail. The establishment of such methodology shall be a matter committed to the Secretary's discretion.

"(o) No more than 15 percent of the funds provided under subsection (b) in any fiscal year shall be provided to any one State. No more than 20 percent of the funds provided under subsection (b) in any fiscal year shall be provided for any one project.

"(p) As used in this section, the term 'State' means any State in which a rail carrier providing transportation subject to the jurisdiction of the Interstate Commerce Commission under chapter 105 of title 49, United States Code, maintains any line of railroad.

'(g) There are authorized to be appropriated to the Secretary for the purposes of this section not to exceed $15,000,000 for fiscal year 1991. Such sums as are appropriated are authorized to remain available until expended. No funds are authorized to be appropriated under this subsection for any period after September 30,

49 USC app. 1654 note.

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall take effect October 1, 1990.

Approved December 11, 1989.

LEGISLATIVE HISTORY—ELK. 422:

CONGRESSIONAL RECORD, Vol. 135 (1989):
Nov. 17, considered and passed House.
Nov. 19, considered and passed Senate.